

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

BRUCE HENRY,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	Civil Action No. <u>2:21-cv-797-RAH</u>
	§	
RON ABERNATHY, Sheriff of	§	
Tuscaloosa County, Alabama, in his	§	
official capacity; HAYS WEBB,	§	
District Attorney of Tuscaloosa	§	
County, Alabama, in his official	§	
capacity; and STEVE MARSHALL,	§	
Attorney General of the State of	§	
Alabama, in his official capacity,	§	
	§	
Defendants.	§	

JOINT STATUS REPORT

As stated in Defendant Abernathy's *Motion for Leave to File Out of Time Responses*, Defendant Abernathy has not timely filed responses to the following documents: D.E. 99 – Plaintiff's Motion for Summary Judgment; D.E. 103 – Plaintiff's Motion to Strike Certain Evidentiary Submissions; and D.E. 105 – Text Order Directing the Parties to file a brief addressing listed issues. In addition, Defendant Abernathy has not filed any motion seeking to exclude Plaintiff's experts.

Pursuant to this Court's order of July 28, 2023, the Parties met and conferred in an effort to reach an agreement concerning Defendant Abernathy's *Motion for*

Leave to File Out of Time Responses. Plaintiff and Defendant Abernathy agreed as follows: (i) Plaintiff consents to Defendant Abernathy filing an out of time response to Docket Entries 99, 103, and 105; and (ii) Defendant Abernathy will not file Motions to exclude Plaintiff's experts.

Defendants Marshall and Webb agree that Defendant Abernathy be allowed to file out of time responses to Docket Entries 99, 103, and 105 but cannot agree that he waive objections to the admissibility of Plaintiff's expert testimony. Defendants Marshall and Webb will file a pleading stating their position within seven (7) days.

Respectfully submitted on August 11, 2023.

/s/ Paul Dubbeling
Paul Dubbeling
Counsel for Plaintiff

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BY: /s/ Stuart D. Albea

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CERTIFICATE OF SERVICE

I hereby certify that a copy of foregoing was filed electronically and notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system.

/s/ Stuart D. Albea
STUART D. ALBEA